

SUNRISE, FLORIDA

ORDINANCE NO. 488

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III TO CREATE DIVISION 13 ESTABLISHING THE AFFORDABLE HOUSING ADVISORY BOARD; CREATING SECTION 2-250, CITY OF SUNRISE CODE ENTITLED CREATION OF AN AFFORDABLE HOUSING ADVISORY BOARD; AMENDING SECTION 2-251, CITY OF SUNRISE CODE ENTITLED DUTIES, TO PROVIDE FOR THE REVIEW OF ALL MATTERS RELATED TO RECOMMENDING MONETARY AND NON-MONETARY INCENTIVES AND STRATEGIES FOR AFFORDABLE HOUSING; AMENDING SECTION 2-252, CITY OF SUNRISE CODE, ENTITLED MEMBERSHIP, TO PROVIDE FOR REQUIRED MEMBERS REPRESENTING AFFORDABLE HOUSING BUILDERS, BANKERS, LABOR, FOR-PROFIT AND NON-PROFIT PROVIDERS, LOW-INCOME PERSONS, CITY EMPLOYERS, REALTORS, ESSENTIAL SERVICES PERSONNEL, THE LOCAL PLANNING AGENCY, AND THE CITY; CREATING SECTION 2-253, CITY OF SUNRISE CODE ENTITLED PROCEDURE, TO PROVIDE FOR REVIEW OF RECOMMENDED STRATEGIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the "William E. Sadowski Affordable Housing Act" became effective on July 7, 1992; and

WHEREAS, pursuant to Section 420.9072, Florida Statutes, in order to be eligible to receive State Housing Initiative Partnership (SHIP) program funds, the City of Sunrise is required to establish an affordable housing advisory board by ordinance; and

WHEREAS, also pursuant to Section 420.9072, Florida Statutes, the affordable housing advisory board is charged with reviewing City of Sunrise policies, procedures, ordinances, land development regulations and the adopted City of Sunrise Comprehensive Plan, and recommending specific actions or initiatives to encourage or facilitate affordable housing; and

WHEREAS, the 2007 Legislature has added duties to be performed by affordable housing advisory board to increase the availability of affordable housing throughout the state; and

WHEREAS, Section 420.9076, Florida Statutes specifies the required membership of the affordable housing advisory board; and

WHEREAS, the 2007 Legislature has adopted changes regarding the membership of affordable housing advisory boards; and

WHEREAS, the City Commission now desires to amend and/or add Sections 2-250, 2-251, 2-252, and 2-253 of the City of Sunrise Code to reflect the updated statutory requirements regarding the affordable housing advisory board.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of City of Sunrise, Florida, as follows:

Section 1.Chapter 2, Article III, of the City Code is hereby amended to add Division 13, "Affordable Housing Advisory Board" and Sections 2-250 through 2-253, which shall read:

DIVISION 13

AFFORDABLE HOUSING ADVISORY BOARD

Sec. 2-250. Creation of an affordable housing advisory board.

There is hereby created an Affordable Housing Advisory Board consisting of eleven (11) members. The members shall be appointed and have the terms of office as set forth in Section 2-252 below.

Sec. 2-251. Duties.

The City of Sunrise Affordable Housing Advisory Board shall have the following duties and obligations:

- (a) Triennially, review established policies and procedures, ordinances, the City of Sunrise Land Development Code and the adopted City of Sunrise Comprehensive Plan and recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.
- (b) The above-mentioned initiative recommendations may include the modification or repeal of existing city policies, procedures, ordinances, City of Sunrise Land Development Code provisions, or City of Sunrise Comprehensive Plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, ordinances, City of Sunrise Land Development Code, or City comprehensive plan provisions, including recommendations to amend the City of Sunrise Comprehensive Plan and corresponding regulations, ordinances, or policies consistent with F.S. Ch. 163, Pt. II, the Local Government Comprehensive Planning and Land Development Act.

(c) At a minimum, the Planning and Development Director or his/her designee shall prepare a report to the board for their review and approval for transmittal to the city commission that includes recommendations on and evaluates the implementation of affordable housing incentives in the following areas:

(1) The expedited processing of approvals of development orders (any order granting, denying, or granting with conditions, an application for a development permit) or permits (any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land) for affordable housing projects is expedited to a greater degree than other projects.

(2) The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment.

(3) The allowance of flexibility in densities for affordable housing.

(4) The reservation of infrastructure capacity for housing for extremely low-income persons, very low-income persons, low-income persons, and moderate-income persons.

(5) The reduction of parking spaces and setback requirements.

(6) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

(7) The modification of sidewalk and street requirements for affordable housing.

(8) The establishment of a process by which the City of Sunrise considers, before adoption, policies, procedures, ordinances, land development regulations, or City of Sunrise Comprehensive Plan provisions that increase the cost of housing.

(9) The allowance of affordable accessory residential units in residential zoning districts.

(10) The preparation of a printed inventory of locally owned public land suitable for affordable housing.

(11) The support of development near transportation hubs, major employment centers, and mixed use developments.

(12) Additional incentives to be considered shall include:

a. Allowing compatible multifamily housing developments in all high-density residential zoning districts;

b. Requiring new construction above a certain threshold to reserve a percentage of its total units for affordable housing;

c. Utilizing tax increment financing techniques and other tax reduction programs;

d. Participating in state and federal affordable housing and housing rehabilitation grant programs, and utilizing technical assistance programs serving affordable housing needs.

e. Establishing a one-stop permitting system to lower development costs and reduce the gap between project review and construction.

(d) The recommendations shall also include other affordable housing incentives identified by the advisory board. To the maximum extent feasible, the approved affordable housing incentive recommendations submitted to the city commission must quantify the affordable housing cost reduction anticipated from implementing the specific recommendation.

(e) The approval by the advisory board of its local housing incentive strategies recommendations and its review of local government implementation of previously approved strategies must be made by affirmative vote of a majority of the membership of the advisory board taken at a public hearing. Notice of the time, date and place of the public hearing of the advisory board to adopt the final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation in the city. The notice must contain a short and concise summary of the local housing incentives strategies recommendations to be considered by the advisory board. The notice must state the public place where interested persons can

obtain a copy of the tentative advisory board recommendations.

Within ninety (90) days after the date of receipt of the local housing incentive strategies recommendations from the advisory board, the city commission shall adopt an amendment to the City of Sunrise Local Housing Assistance Plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must include, at minimum, the local housing incentive strategies required under Section 420.9071(16), Florida Statutes. City of Sunrise shall also consider the strategies specified in paragraphs (3)(a) - (1) above as recommended by the advisory board.

(f) Make recommendations to the City Commission on requests for reduction of impact fees of the City of Sunrise.

(g) On an ongoing and continuous basis identify improvements needed to the housing delivery system in the City of Sunrise, with particular emphasis on the provision of housing to very-low, low and-moderate income households.

(h) Make recommendations to the City Commission on distribution of city, state, and federal grant funds available to provide assistance to qualified developers and households to construct affordable housing.

(i) Coordinate with the local development industry, financial institutions and governmental agencies so as to assure adequate financing is available for

affordable housing, particularly for very-low, low and-moderate-income households.

(j) Analyze and recommend improvements to the SHIP Affordable Housing Programs which may comprise activities including but not limited to:

1. Home purchase assistance,

2. Disaster Mitigation;

3. Home repair, rehabilitation, and replacement;

4. Public and private partnerships to improve very low, low and moderate income housing; and

5. Technical assistance to private, non-profit organizations serving to improve housing and neighborhood conditions.

(k) Conduct public meetings and take testimony from residents and housing professionals as to existing services and facilities and any required additional services and facilities.

(l) At the request of the city commission, the board may perform other duties including:

a. Provide mentoring services to affordable housing partners such as developers, banking institutions, employers and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.

b. The creation of best practices for the development of affordable housing in the community.

(m) Other tasks and functions assigned by the city commission.

Sec. 2-252. Membership.

(a) Members of the City of Sunrise affordable housing advisory board shall be appointed by the city commission by resolution and shall consist of eleven (11) members, as follows:

(1) One (1) citizen who is actively engaged in the residential home building industry in connection with affordable housing.

(2) One (1) citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

(3) One (1) citizen of those areas of labor engaged in home building in connection with affordable housing.

(4) One (1) citizen who is designated as an advocate for low income persons in connection with affordable housing.

(5) One (1) citizen who is actively engaged as a for-profit provider of affordable housing.

(6) One (1) citizen who is actively engaged as a real estate professional in connection with affordable housing.

(7) One (1) citizen who is actively engaged as a not-for-profit provider of affordable housing.

(8) One (1) citizen who actively serves on the local planning agency pursuant to s. 163.3174

(9) One (1) citizen who resides within the City.

(10) One (1) citizen who represents employers in City
of Sunrise.

(11) One (1) citizen who represents essential services
personnel as defined in the local housing
assistance plan.

In the event that the City Commission is unable to
appoint a citizen actively engaged in these activities
in connection with affordable housing, a citizen in the
activity without regard to affordable housing may be
appointed.

(b) The term of office for each member shall be for two (2)
years. Initially, the terms of the members representing
persons actively engaged as a real estate professional,
serving on the local planning agency, actively engaged
in the banking or mortgage banking industry, who is an
advocate for low income persons, and who is actively
engaged in the residential home building industry shall
expire on June 30, 2009. The terms of members
representing a not-for-profit provider of affordable
housing, a for-profit provider of affordable housing,
areas of labor engaged in home building in connection
with affordable housing, a concerned citizen for
affordable housing, essential services personnel, and
employers shall expire June 30, 2010. Thereafter, all
membership terms shall be for two (2) years. In the
event there is a vacancy, the member appointed to fill

the vacancy shall serve out the remainder of the vacant term.

(c) Members may be removed from membership on the affordable housing advisory board by the city commission at any time.

(d) Regular attendance is required. If more than two (2) successive unexcused absences occur, the advisory board may recommend removal of the absent member to the city commission.

(e) A current commissioner of the City of Sunrise City Commission shall serve as liaison to this board in a non-voting position and shall not be considered a member of the board.

Sec. 2-253. Procedure.

(a) The members of the Affordable Housing Advisory Board shall elect a chairman and a vice-chairman for a term of one (1) year at its organizational meeting, and annually thereafter. The vice-chairman shall serve as chairman in the absence of the chairman. The same person may be elected for successive one-year terms.

(b) The members of the Affordable Housing Advisory Board may elect a secretary for a term of one (1) year. The same person may be elected for successive one-year terms.

(c) The Affordable Housing Advisory Board may appoint subcommittees to perform specific duties provided for herein, subject to final approval and recommendation to the city commission, by the full affordable housing

advisory board. The subcommittees shall be subject to the same meeting requirements provided for in this section.

(d) The Affordable Housing Advisory Board shall meet at least quarterly, or more often, as determined by the affordable housing advisory board.

(e) All meetings are public meetings and shall be held in a public place and shall be open to the public.

(f) All meetings shall be noticed and minutes recorded.

(g) Robert's Rules of Order, Newly Revised, shall be the final authority on all questions of parliamentary procedure.

(h) A quorum for conducting business shall be six (6) members.

(i) The Affordable Housing Advisory Board shall be staffed by the Planning and Development Department.

Section 2. Inclusion in Code. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Sunrise, Florida.

Section 3. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 4. Consistency and Convenience. For purposes of consistency and convenience, Sections 2-251 and 2-252 of the Code shall be renumbered to Sections 2-260 and 2-261 and

the remaining sections not otherwise numbered in this Chapter shall be reserved for future use.

Section 5. Effective Date. This ordinance shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED upon this first reading this 13TH day of MAY, 2008.

PASSED AND ADOPTED upon this second reading this 27TH day of MAY, 2008.

Mayor Steven B. Feren

AUTHENTICATION:

Felicia M. Bravo,
City Clerk

FIRST READING

MOTION: ALU
SECOND: SCUOTTO

ALU: YEA
ROSEN: YEA
SCUOTTO: YEA
WISHNER: ABSENT
FEREN: ABSENT

SECOND READING

MOTION: SCUOTTO
SECOND: WISHNER

ALU: ABSENT
ROSEN: ABSENT
SCUOTTO: YEA
WISHNER: YEA
FEREN: YEA

Approved by the City Attorney
As to Form and Legal Sufficiency:

Kimberly A. Register